

REMARKS/ARGUMENTS

Claims 8 through 12, 14, 15 and 17 through 20 remain in this application. Claims 8 and 20 have been amended

Claims 8 through 12, 14, 15, and 17 through 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,301,609 B1 to Aravamudan, et al. ("Aravamudan, et al. patent") in view of U.S. Patent Application Publication No. US 2002/0147988 A1 to Nakano ("Nakano publication").

Declarations by the inventors, namely Jheroen P. Dorenbosch and Kevin C. Mowry, under 37 C.F.R. §1.131 accompany this amendment. These Declarations establish conception in the United States of claimed subject matter prior to the effective date of the Nakano publication. Accordingly, reconsideration and withdrawal of the rejection of claims 8 through 12, 14, 15, and 17 through 20 are respectfully requested.

Also, the above Advisory Action states that the features upon which Applicants rely are not recited in the claims. Accordingly, independent claims 8 and 20 are hereby amended to recite the notification to the mobile subscriber that instant messages are available for download from the message buffer only when the mobile subscriber has multiple messages stored in the message buffer to minimize connection overhead in the network. Therefore, for the reasons stated by Applicants' Response of October 11, 2006, claims 8 and 20 distinguish patentably from the Aravamuda patent, the Nakano publication, and the suggested combination of these references.

Claims 9 through 12, 14, 15 and 17 through 19 depend from and include all limitations of independent claim 8. Therefore, claims 9 through 12, 14, 15 and 17 through 19 distinguish patentably from the Aravamuda patent, the Nakano publication, and the combination of these references for the reasons stated above for claim 8.

In view of the additional reasons stated above, again, reconsideration and withdrawal of the rejections to claims 8 through 12, 14, 15 and 17 through 20 are respectfully requested.

CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Commissioner is hereby authorized to deduct any additional fees arising as a result of this response, including any fees for Extensions of Time, or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

It is submitted that the claims clearly define the invention, are supported by the specification and drawings, and are in a condition for allowance. Applicant(s) respectfully request(s) that a timely Notice of Allowance be issued in this case. Should the Examiner have

any questions or concerns that may expedite prosecution of the present application, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,
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